IN THE HIGH COURT OF JUDICATURE AT BOMAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION NO.1908 OF 2006
IN
WRIT PETITION NO.76 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

CORAM : R.M.S. KHANDEPARKAR &
S.R. DONGAONKAR, JJ.
DATED : JUNE 22, 2006

None present for the applicants/original respondent Nos.2 and 3.

By order dated 10-12-2004 passed in Civil Application No.6687 of 2004, while admitting the Writ Petition No.76 of 2004, interim relief was refused but it was clarified that the recovery of taxes, if any, shall be subject to result of the petition. It obviously discloses that though the interim relief has been refused, it has been clarified that as the law stands, if the recovery of taxes is permissible and if it is made, even such recovery shall be subject to the final result of the petition. The

rights and liabilities during the pendency of the petition in relation to recovery of the taxes, if any, being made abundantly clear by the order dated 10-12-2004, no further clarification is necessary. The question of granting any relief in the nature as prayed under the Clause (ii) in the miscellaneous application in favour of the respondents in the petition does not arise at all. Hence the application is rejected.

JUDGE JUDGE

sjs